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|-----------------|-------------|----------------------|---------------------|------------------|
| 09/980,517      | 02/28/2002  | Kenji Inose          | SONYJP-150          | 5399             |

530 7590 05/17/2007  
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| EXAMINER |
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AGHDAM, FRESHTEH N

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| ART UNIT | PAPER NUMBER |
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2611

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| MAIL DATE | DELIVERY MODE |
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05/17/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                |                              |  |
|------------------------------|--------------------------------|------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>09/980,517  | Applicant(s)<br>INOSE ET AL. |  |
|                              | Examiner<br>Freshteh N. Aghdam | Art Unit<br>2611             |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-10 is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/16/2007 has been entered.

### ***Response to Arguments***

Applicant's arguments filed 4/16/2007 have been fully considered but they are not persuasive.

Applicant's Argument(s): Regarding claims 1-6, applicant argues the claimed invention is not taught or suggested by Hite "for generating a control command based on the request, the control command using a predefined command set and being independent of each one of the plurality of different kinds of transmission media and a reception zone ..."

Examiner's Response: In response to the argument set forth above, examiner respectfully disagrees with the applicant because Hite discloses that the remote control signals are infra-red but other transmission medias such as radio frequency signal and even voice commands can be used. Moreover, in Hite's disclosure

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of invention there is no indication of generating control commands depending on the type of transmission media utilized rather the generated control command is dependent on the nature of the request.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hite et al (US 5,805,974), further in view of THE AUTHORITATIVE DICTIONARY OF IEEE STANDARDS TERMS, 7<sup>th</sup> Edition.

As to claim 1, Hite discloses a receiving apparatus comprising receiving and demodulating a signal delivered over a particular one of the plurality of different transmission mediums (Fig. 5, means 506 and 538); a main control means for receiving a request for a particular program or channel (Fig. 5, means 590), generating and outputting a control command via means 582 based on the request by interpreting the request signal as a key code value corresponding to the key input from the remote controller 584; therefore, using a predefined command set (i.e. output of means 590) and being independent of each one of the plurality of different kinds of transmission mediums and the reception zone because Hite discloses that the remote control signals are infra-red but other transmission medias such as radio frequency signal and even

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voice commands can be used (Col. 10, Lines 60-67). Said receiving and demodulating means including at least a tuner (means 506) and a demodulator (means 538) for processing the received signal and that includes a control input (means 544), said signal processing means being associated with the particular one of the plurality of different kinds of transmission media; a process control means (means 550) for receiving outputted control command for reading out an associated one of plurality of stored control programs (i.e. there are a plurality of control programs that are stored in the microcontroller, in which they control different components in the receiver in response to the outputted command from the remote control receiver 590) in response to the received control command and converting the associated control program into control data that is recognizable by the signal processing means by issuing the appropriate instruction to the tuner (means 508, 544, and 550); and said signal processing means processing the received signal based on the received control data via means 544. Hite is not explicit about an interface means for receiving the control command from the main control means and for outputting the control command. However, one of ordinary skill in the art would recognize that utilization of an interface to output the control command is well known in the art since interface is a shared boundary that specifies the interconnection between two units or systems and connection means 582 provides a connection between the generated control command in the remote control receiver 590 and the microcontroller 550; therefore, it would have been obvious to one of ordinary skill in the art to utilize an interface means to specify the interconnection between unit 590 and unit 550 of Hite. The definition of an interface

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is provided by (THE AUTHORITATIVE DICTIONARY OF IEEE STANDARDS TERMS, 7<sup>th</sup> Edition; Pg. 575, Col. 1, No. 23).

As to claim 2, Hite discloses that the associated control program is independent of the particular one of the plurality of transmission media since when there is only one transmission medium then the main control means is not dependent on the type of transmission medium.

As to claim 3, Hite discloses that the associated control program is independent of the reception zone since the reception zone 502 does not have anything to do with the associated control programs stored in the microcontroller 550.

As to claim 4, Hite discloses all the subject matter claimed in claim 1, except for the main control means includes transferring means whereby the control command is transmitted to the receiving and demodulating means over a bus. However, according to THE AUTHORITATIVE DICTIONARY OF IEEE STANDARDS TERMS, 7<sup>th</sup> Edition, system bus is utilized to transfer signal or information and is defined as a shared boundary between two or more systems, or between two or more elements within a system, through which information is conveyed (Pg. 574, Col. 2, No. 10-11). Therefore, it would obvious to one of ordinary skill in the art to utilize a bus means to transfer information from one unit to another unit.

Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hite et al (US 5,805,974) and THE AUTHORITATIVE DICTIONARY OF IEEE STANDARDS TERMS, 7<sup>th</sup> Edition, further in view of Na et al (US 6,366,731).

As to claim 5, Hite discloses all the subject matter claimed in claim 1, except for

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the bus is an IEEE 1394 serial bus. Na discloses utilizing IEEE 1394 serial bus to transfer information (Col. 1, Lines 6-29). One of the primary advantages of the protocols such as Universal Serial BUS such as IEEE 1394 serial bus is the ability to handle a high data transfer rate. Therefore, it would have been obvious to one of ordinary skill in the art to combine the teaching of Na with Hite and THE AUTHORITATIVE DICTIONARY OF IEEE STANDARDS TERMS for the reason stated above.

As to claim 6, Hite discloses a receiving method and/ or apparatus comprising receiving and demodulating a signal delivered over a particular one of the plurality of different transmission mediums (Fig. 5, means 506 and 538); a main control means for receiving a request for a particular program or channel (Fig. 5, means 590), generating and outputting a control command via means 582 based on the request by interpreting the request signal as a key code value corresponding to the key input from the remote controller 584; therefore, using a predefined command set (i.e. output of means 590) and being independent of the at least one of the particular one of the plurality of different kinds of transmission medium since when there is only one transmission medium then the main control means is not dependent on the type of transmission medium and the reception zone; a process control means (means 550) for receiving outputted control command for reading out an associated one of plurality of stored control programs (i.e. there are a plurality of control programs that are stored in the microcontroller, in which they control different components in the receiver in response to the outputted command from the remote control receiver 590) in response to the received control command and converting the associated control program into control

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data that is recognizable by the signal processing means by issuing the appropriate instruction to the tuner (means 508, 544, and 550); and said signal processing means processing the received signal based on the received control data via means 544. Hite is not explicit about transmitting a control command using a common communication protocol. However, one of ordinary skill in the art would recognize that utilization of a common communication protocol to transmit the control command is well known in the art as it is evidenced by Na (Col. 1, Lines 6-29). One of the primary advantages of the protocols such as Universal Serial BUS such as IEEE 1394 serial bus is the ability to handle a high data transfer rate. Therefore, it would have been obvious to one of ordinary skill in the art to combine the teaching of Na with Hite for the reason stated above.

#### ***Allowable Subject Matter***

Claims 7-10 are allowed.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freshteh N. Aghdam whose telephone number is 571-272-6037. The examiner can normally be reached on 9:00-5:30.

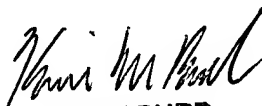
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on 571-272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

May 7, 2007

  
**KEVIN BURD**  
**PRIMARY EXAMINER**

Freshteh Aghdam  
Examiner  
Art Unit 2611